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Terminal  
DISCLAIMER  
B. Zimmerman  
PATENT  
ATTORNEY DOCKET NO. 67369

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: **Kinigakis et al.**

Serial No.: **09/945,537**

Filed: **August 30, 2001**

Title: **FASTENER CLOSURE  
ARRANGEMENT FOR  
FLEXIBLE PACKAGES**

Group  
Art Unit: **3727**

Examiner: **Jes F. Pascua**

**Certificate of Mailing**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.

**FEB 24 2003**

Date

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**TERMINAL DISCLAIMER**

Hon. Commissioner of Patents  
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Attention: Assistant Commissioner  
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Sir:

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**KRAFT FOODS HOLDINGS, INC.**, the owner of the entire right, title and interest in and to above-captioned Application No. 09/945,537 (Our Docket No. 67369) ("the instant application"), and of the entire right, title and interest in and to a second pending application, Application No. 09/837,694 (Our Docket No. 67286) ("the second application"), as evidenced by respective Assignment documents recorded in the United States Patent and Trademark Office at Reel 12499, Frame 0476, and Reel 11732, Frame 0562, respectively, hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of any patent granted on the second application, and hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application shall be commonly

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Attorney Docket No. 67369

owned.

The owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of any patent granted on the second application in the event that the latter patent expires for failure to pay a Maintenance Fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole under 35 U.S.C. §1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its full statutory term.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In accordance with the fee schedule set forth in 37 C.F.R. §1.20(d), please charge \$110.00 to our Deposit Account No. 06-1135 (*Transaction No. 8180*). This sheet is filed in triplicate.

The undersigned is an attorney of record in the instant application.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By

  
Bruce R. Mansfield  
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